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OFFICE OF PETITIONS

In re Application of
Pamukcu et al.
Application No. 09/902,948
Filed: July 11, 2001
Attorney Docket No. P-166-1

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed May 8, 2003, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to reply in a timely manner to the Restriction mailed September 5, 2002, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were timely obtained. Accordingly, the above-identified application became abandoned on October 6, 2002. A Notice of Abandonment was mailed on April 9, 2003.


Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

Petitioner submitted \$130.00 towards payment of the petition fee. The fee associated with a petition under 37 C.F.R. § 1.137(b) is \$650.00 under small entity status. Therefore, petitioner's deposit account will be charged \$650.00 rather than \$130.00.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$985.00 extension of time fee submitted with the petition on May 8, 2003 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will not be charged to petitioner's deposit account.

The file is now being forwarded to Technology Center 1600.

Telephone inquiries should be directed to Program Assistant Liana Chase at (703) 306-0482.


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